

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.6259 OF 2005

IN

CRI.APPEAL NO.861 OF 2005

Shri.Nivrutti Laxman Shendkar ..Applicant

Vs.

State of Maharashtra ..Respondents

...
Mr.Nitin Jamdar Advocate for Applicant
Mr.Y.S.Shinde A.P.P. for the State

...

CORAM: SMT.V.K.TAHILRAMANI, J.
DATE : SEPT. 30, 2005

P.C.

1. Heard both sides.

2. The applicant is seeking bail. The applicant has been convicted under Sections 7 and 13(1)(d) r.w. 13(2) of the Prevention of Corruption Act. The maximum sentence imposed on the applicant is one year.

3. The learned advocate for the applicant has pointed out that the applicant was on bail pending

trial and he has not misused the liberty granted to him. This statement is not controverted by the prosecution. The learned advocate for the applicant has further submitted that sentence imposed on the applicant is only one year and the appeal preferred by the applicant is not likely to be heard and disposed of within the period of one year.

4. The Supreme Court in the case of **Bhagwan Rama Gosai and Ors. Vs. State of Gujrat** reported in **(1999) 4 SCC 421**, has observed that if the sentence is of limited duration and the appeal cannot be heard expeditiously, then bail should be granted. It is not possible to hear the present appeal expeditiously. In view of all the facts and circumstances, I am inclined to grant bail.

5. The applicant-Nivrutti Laxman Shendkar to be released on bail in the sum of Rs.25,000/- with one or two sureties to make up that amount.

6. Application is disposed of.

7. Authenticated copy be issued to the parties.

[V.K.TAHILRAMANI, J.]